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REMARKS

This is a full and timely response to the non-final Official Action mailed June 21, 2007. Reconsideration of the application in light the following remarks is respectfully requested.

Claim Status:

No amendments are proposed by the present paper. Thus, claims 1-49 are currently pending for further action.

Previous Action:

All the grounds of rejection in the previous final Office Action of March 21, 2007 have been withdrawn.

Prior Art:

Claims 1, 3-13 and 15-49 were rejected under 35 U.S.C. § 103(a) over U.S. Patent App. Pub. No. 2004/0131261 to Lee et al. ("Lee") in combination with U.S. Patent App. Pub. No. 2004/0027593 to Wilkins ("Wilkins"). This rejection is entirely without merit and is respectfully traversed for at least the following reasons.

Claim 1 recites:

A method of transitioning between two high resolution images in a slideshow, said method comprising:

- displaying a first image as part of said slideshow;
- replacing said display of said first image with a display of a lower resolution copy of said first image; and
- continuing said slideshow by fading out said display of said lower resolution copy of said first image to reveal a display of a second image.

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According to the Office Action, Lee teaches a "method of transitioning between two high resolution images in a slideshow." (Action of 6/21/07, p. 4). The Action concedes, however, that Lee fails to teach or suggest the substance of claim 1. Specifically, the Action states that "Lee et al. does not expressly teach: Replacing said display of said first image with a display of a lower resolution copy of said first image [and] Continuing said slideshow by fading out said display of said lower resolution copy of said first image to reveal a display of a second image." (*Id.*).

Consequently, the Action cites to the teaching of Wilkins in combination with those of Lee. However, Wilkins also fails to teach or suggest the subject matter of claim 1. The Office Action cites Wilkins at paragraphs 0057-8. (Action of 6/21/07, p. 5). This portion of Wilkins, however, merely teaches that specific image operations are "resolution-independent" meaning that those operations can be performed in any order with essentially the same image resulting. The cited paragraphs of Wilkins, in their entirety, read as follows.

[0057] Image operations that fall into the Resolution-independent category involve those that yield consistent results across all resolutions. For example, for image A, an imaging operation is applied to an image at a particular resolution and then the image is resized to a smaller resolution. For image B, the image is first resized to the smaller resolution and then the image operation is applied. If image A and image B are sufficiently visually close, taking into account the errors introduced during the resampling/resize operation, the operation is considered resolution-independent. Put another way, when the user views image A and image B side by side, they should visually appear the same.

[0058] Some of the following operations that fall into this category including rotation, cropping, translation, color adjustment, color twist, brightness/contrast adjustment (not based on an image's histogram), blur and sharpen operations (as defined by the FlashPix.TM. imaging model), Duotones (convert the image into a two tone color image), grayscale/black&white, negative, solarize, posterize (reduction in the number of colors), and bi-level/threshold. This is by no means a comprehensive list, but is illustrative of the type of operations that are considered resolution-independent. It should be noted, the FlashPix.TM. imaging model only supports a small subset of these operations.

(Wilkins, paragraphs 0057-8).

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Clearly, this portion of Wilkins does not teach or suggest, in the context of an ongoing slideshow, "replacing said display of said first image with a display of a lower resolution copy of said first image; and continuing said slideshow by fading out said display of said lower resolution copy of said first image to reveal a display of a second image." It is unclear how the Office Action can conclude that this portion of Wilkins and the proposed combination of Lee and Wilkins can have any relevance to the subject matter of claim 1.

Under the analysis required by *Graham v. John Deere*, 383 U.S. 1 (1966) to support a rejection under § 103, the scope and content of the prior art must first be determined, followed by an assessment of the differences between the prior art and the claim at issue in view of the ordinary skill in the art. In the present instance, the scope and content of the prior art, as evidenced by Lee and Wilkins, clearly did not include the method recited in claim 1 including "replacing said display of said first image with a display of a lower resolution copy of said first image; and continuing said slideshow by fading out said display of said lower resolution copy of said first image to reveal a display of a second image." This subject matter appears to be wholly beyond the scope and content of the cited prior art.

This difference between the cited prior art and the claimed method is significant because the claimed method provides an improved method of transitioning between images in a slideshow. (Applicant's specification, paragraph 0035). The advantages of the claimed method are apparently unavailable in the cited prior art.

For at least these reasons, Lee and Wilkins cannot support a rejection of claim 1 under 35 U.S.C. § 103(a) and *Graham*. Therefore, the rejection of claim 1 and its dependent claims based on Lee and Wilkins should be reconsidered and withdrawn.

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Claim 15 recites:

A system for transitioning between two high resolution images in a slideshow, said system comprising a video chip comprising:
a display device;
a first video buffer for containing a first image;
a second video buffer for containing a second image; and
a graphic buffer for containing a lower resolution copy of said first image;
wherein said chip is configured to *display said first image from said first video buffer on said display device, replace the display of said first image with a display of said lower resolution copy of said first image and fade out said display of said lower resolution copy of said first image to reveal a display of said second image on said display device.*

(Emphasis added).

In contrast, as demonstrated above, the combination of Lee and Wilkins completely fails to teach or suggest a method or system in which a chip is configured to “display said first image from said first video buffer on said display device, replace the display of said first image with a display of said lower resolution copy of said first image and fade out said display of said lower resolution copy of said first image to reveal a display of said second image on said display device.” This subject matter appears to be completely outside the scope and content of the prior art as evidenced by Lee and Wilkins. Therefore, for at least these reasons, the rejection of claim 15 and its dependent claims should be reconsidered and withdrawn.

Claim 24 recites:

A media viewer application stored on a medium for storing processor-readable instructions, said application comprising a slideshow function, wherein said slideshow function, when invoked, automatically displays a sequence of images stored on a selected storage medium to produce a slideshow;
wherein said slideshow function is configured to *display a first image as part of said slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said lower resolution copy of said first image to reveal a display of a second image.*

(Emphasis added).

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In contrast, as demonstrated above, the combination of Lee and Wilkins completely fails to teach or suggest an application with a slideshow function configured to "display a first image as part of said slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said lower resolution copy of said first image to reveal a display of a second image." This subject matter appears to be completely outside the scope and content of the prior art as evidenced by Lee and Wilkins. Therefore, for at least these reasons, the rejection of claim 24 and its dependent claims should be reconsidered and withdrawn.

Independent claim 33 recites:

A system for displaying images stored on a storage medium, said system comprising:

a video monitor;

a device for reading a data storage medium and outputting a signal to said video monitor; and

a media viewer application operational with said device for reading said data storage medium, wherein said media viewer application further comprises a slideshow function that, when invoked, automatically displays images stored on said data storage medium to produce a slideshow;

wherein said slideshow function is configured to display a first image as part of a slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said display of said lower resolution copy of said first image to reveal display of a second image.

(Emphasis added).

In contrast, as demonstrated above, the combination of Lee and Wilkins completely fails to teach or suggest a system with a slideshow function configured to "display a first image as part of said slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said lower resolution copy of said first image to reveal a display of a second image." This subject matter appears to be completely outside the scope and content of the prior art as evidenced by Lee and Wilkins. Therefore, for

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at least these reasons, the rejection of claim 33 and its dependent claims should be reconsidered and withdrawn.

Independent claim 44 recites:

A system for displaying images stored on a storage medium, said system comprising:

means for reading a data storage medium and outputting a signal to a means for displaying images; and

means for displaying a first image, replacing display of said first image with a display of a lower resolution copy of said first image and then fading out said display of said lower resolution copy of said first image to reveal a display of a second image.

(Emphasis added).

In contrast, as demonstrated above, the combination of Lee and Wilkins completely fails to teach or suggest a system including “means for displaying a first image, replacing display of said first image with a display of a lower resolution copy of said first image and then fading out said display of said lower resolution copy of said first image to reveal a display of a second image.” This subject matter appears to be completely outside the scope and content of the prior art as evidenced by Lee and Wilkins. Therefore, for at least these reasons, the rejection of claim 44 and its dependent claims should be reconsidered and withdrawn.

Additionally, the various dependent claims of the application recite subject matter that is further patentable over the cited prior art. Specific, non-exclusive examples follow.

Claim 3 recites “pointing a video overlay at said first image to display said first image prior to said replacing of said first image.” In this regard, the Office Action refers to Lee at paragraph 0031. (Action of 6/21/07, p. 6). This portion of Lee, in pertinent part, merely teaches a memory (120) that “stores software (180) implementing the image processing techniques of one or more described embodiments.” (Lee, paragraph 0031). Lee does not

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even mention a video overlay or a method including pointing a video overlay as recited in claim 3.

Claims 4 and 5 recite, respectively, "storing said first image in a first video buffer," and "making said lower resolution copy of said first image and storing said lower resolution copy of said first image in a graphic buffer." In this regard, the Office Action again merely refers to the memory (120) of Lee. (Action of 6/21/07, p. 6). Clearly a memory storing software is not a teaching or suggest of the claimed method of "storing said first image in a first video buffer," and "making said lower resolution copy of said first image and storing said lower resolution copy of said first image in a graphic buffer."

Claim 6 recites "pointing a graphic overlay at said lower resolution copy of said first image; and enabling said graphic overlay." In this regard, the Office Action continues to be unable to cite a specific graphic overlay in the teaching of Lee and Wilkins and clearly fails to cite any teaching or suggestion of a method including "pointing a graphic overlay at said lower resolution copy of said first image; and enabling said graphic overlay."

For at least these additional reasons, the subject matter of these claims is beyond the scope and content of the cited prior art. Therefore, the rejection of these and any similar claims should be reconsidered and withdrawn as insufficient under § 103(a) and *Graham*.

Claim 2 was rejected as being unpatentable under 35 U.S.C. § 103(a) over the teachings of Lee, Wilkins and U.S. Patent No. 7,113,183 to Collins et al. ("Collins"). This rejection is respectfully traversed for at least the same reasons given above with respect to the various independent claims of the application and for the following additional reasons.

Claim 2 recites "disabling a graphic overlay and displaying said first image prior to replacing said first image." In this regard, the Office Action refers to Collins at col. 5, lines

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27-33, which describes clearing a frame buffer. According to the Office Action, "[c]learing the frame buffer before rendering a frame image as taught by Collins et al. is the equivalent to disabling a graphic overlay and displaying said first image." (Action of 6/21/07, p. 13). Applicant vehemently disagrees and finds this statement to be completely unreasonable. One of skill in the art would not equate clearing a frame buffer with disabling a graphic overlay. For at least this additional reason, the rejection of claim 2 should be reconsidered and withdrawn. Otherwise, the Examiner is requested to provide evidence and explanation as to how these two things could possibly be considered equivalent.

Claim 14 was rejected as being unpatentable under 35 U.S.C. § 103(a) over the teachings of Lee, Wilkins and U.S. Patent App. Pub. No. 2003/0072429 to Slobodin et al. ("Slobodin"). This rejection is respectfully traversed for at least the same reasons given above with respect to the various independent claims of the application and for the following additional reasons.

Claim 14 recites "centering and resizing said first and second images to fit respective buffers prior to said replacing said first image." In this regard, the Office Action mistakenly cites a teaching from Slobodin relative to resizing image data to match a display device, rather than a buffer as claimed. (Action of 6/21/07, p. 14). The combination of cited prior art, therefore, does not appear to teach or suggest the claimed subject matter of claim 14. For at least this additional reason, the rejection of claim 14 should be reconsidered and withdrawn.

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Conclusion:


In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

If any fees are owed in connection with this paper that have not been elsewhere authorized, authorization is hereby given to charge those fees to Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC.

Respectfully submitted,

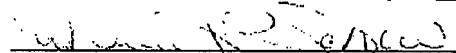
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office facsimile number **(571) 273-8300** on **September 21, 2007**. Number of Pages: **23**


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